

CONSTITUTION

1.0 NAME

The name of this congregation shall be Trinity Evangelical Lutheran Church of New York Mills, Otter Tail County, Minnesota.

2.0 MISSION

Trinity Evangelical Lutheran Church will be a growing family of believers, demonstrating God's unconditional love by providing opportunities to connect people to Jesus through worship, education, fellowship, witness, service and spiritual care.

3.0 CONFSSIONAL STANDARD

This congregation accepts without reservation that:

- 3.1 The Scriptures of the Old and New Testaments are the revealed, inspired, inerrant, infallible, and written Word of God and the only rule and norm of faith and practice.
- 3.2 All the Symbolical Books of the Evangelical Lutheran Church are a true and unadulterated statement and exposition of the Word of God, to wit: the three Ecumenical Creeds (the Apostles' Creed, the Nicene Creed, the Athanasian Creed), the Unaltered Augsburg Confession, the Apology of the Augsburg Confession, the Smalcald Articles, the Large Catechism of Luther, the Small Catechism of Luther, and the Formula of Concord.
- 3.3 Any doctrine or practice in conflict or inconsistent with this confessional standard shall not be taught or tolerated in this congregation.
- 3.4 Only such hymns, prayers, liturgies, and other worship forms shall be used in the public services and activities of this congregation and in all ministerial acts as conform to these confessional standards.

4.0 SYNODICAL MEMBERSHIP

This congregation shall be a member of The Lutheran Church - Missouri Synod as long as the Synod conforms to the congregation's confessional standards as set forth in this constitution.

- 4.1 A two-thirds vote of the voters present at a properly called voters assembly shall be required to withdraw from membership in The Lutheran Church - Missouri Synod.

5.0 MEMBERSHIP

This congregation distinguishes among three types of congregational membership.

- 5.1 The membership of this congregation includes the following:
 - 5.1.1 *Baptized* members are all who have been baptized in the name of the Triune God and who are under the spiritual care of the pastor of this congregation, including the children who have not yet been confirmed into communicant membership.
 - 5.1.2 *Communicant* members are those baptized members who have been instructed and are familiar with the contents of *Luther's Small Catechism*, have been confirmed in the Lutheran faith, and accept the confessional standard of this constitution.
 - 5.1.3 *Voting* members are communicant members who have reached the age of 18 years.
- 5.2 The members of this congregation are received in the following manner:

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- 5.2.1 Baptized members are received through the Sacrament of Holy Baptism or through the consent of one or both parents in the case of children who have been baptized in another Christian congregation.
 - 5.2.2 Adult members are received through the rite of confirmation and Sacrament of Holy Baptism as appropriate, through transfer from a sister LCMS congregation, or through profession of faith or reaffirmation of faith.
 - 5.2.3 Eligible communicant members who have reached the age of 18 years automatically shall have the privilege of voting.
- 5.3 Members of this congregation shall conform their entire lives to the authority of God's Word and to that end shall make diligent use of the means of grace, exercise faithful stewardship of God's many gifts and talents, impart and accept fraternal admonition as the need of such admonition becomes apparent, and be readily available for service in the kingdom of Christ within and beyond the congregation. Membership in organizations whose principles and conduct conflict with the Word of God is prohibited.
- 5.4 Membership in this congregation shall be terminated as follows:
- 5.4.1 Membership shall be terminated by transfer to a sister LCMS congregation, by joining a congregation outside the fellowship of this congregation, by excommunication, by self-exclusion, or by death.
 - 5.4.2 Communicant members who conduct themselves in an un-Christian manner shall be admonished according to Matthew 18:15-20, the goal of which shall be to call them to repentance. If they remain impenitent after proper admonition, they shall be excommunicated. Each case of excommunication or self-exclusion shall be presented to the voters assembly for a decision. A two-thirds majority vote of those present at a properly called voters assembly shall be required.
- 5.5 Requests for change in membership shall be processed by the pastor in conjunction with the Board of Elders and reported to the voters assembly. All changes in membership shall be reported in church publications such as the Sunday bulletin, newsletter, annual report, etc.

6.0 CALLED CHURCH WORKERS

The voters assembly of this congregation shall have the exclusive right to call ordained or commissioned ministers. This responsibility shall not be delegated to a smaller body and never to an individual.

- 6.1 The pastoral office shall be conferred only upon ordained ministers who are members of The Lutheran Church—Missouri Synod, candidates for the pastoral ministry who have satisfied the qualifications and requirements for assignment of first calls by Synod, or ordained ministers who are members in good standing of church bodies that have been formally recognized to be in altar and pulpit fellowship with the Synod when agreements for such calls are in place. 6.2
- Only those commissioned ministers shall receive a call who adhere to the confessional standard set forth in this constitution, who are qualified for the work of the ministry to which they are called, and who have been endorsed by and are members of The Lutheran Church - Missouri Synod. or are candidates of LCMS colleges and universities who have satisfied the qualifications and requirements for assignment of first calls, or are commissioned ministers in good standing from church bodies that are in altar and pulpit fellowship with The Lutheran Church—Missouri Synod.
- 6.3 The right of calling ordained or commissioned ministers shall be vested in the voters assembly and shall not be delegated otherwise.

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- 6.4 Called ordained or commissioned ministers may be removed from office in Christian and lawful order by a two-thirds majority ballot vote of the voters present at a properly called voters assembly for one of the following reasons: persistent adherence to false doctrine, scandalous life, willful neglect of the duties of office, or the inability to perform those duties. This shall be done only in consultation with the President of the Minnesota North District.
- 6.5 When a vacancy occurs in an office of an ordained or commissioned minister, the congregation shall notify the President of the Minnesota North District to receive assistance in temporarily filling the vacancy and to receive his counsel in calling a new pastor, teacher, or other church worker.

7.0 AUTHORITY OF AND WITHIN THE CONGREGATION

The voters assembly shall be the governing body of this congregation and shall be empowered to administer and manage all its affairs.

- 7.1 The establishment and conduct of all organizations and societies within the congregation or related directly to the congregation shall be subject to the overall authority and general oversight of the voters assembly.
- 7.2 All matters before the voters assembly shall be decided by a majority vote unless otherwise specified by this constitution or bylaws. Matters of doctrine and conscience shall be decided only on the basis of the Word of God.
- 7.3 Officers, board members, and committee members shall have no authority beyond that which has been conferred upon them. Whatever power may have been delegated to them shall at all times be subject to change or revision by the voters assembly.
- 7.4 This congregation may receive, acquire, hold title to, and manage real estate and other property in order to accomplish its purpose. It may also sell or dispose of such real estate and other property or any part thereof, remodel existing facilities, or build new facilities in order to accomplish its purpose. A two-thirds majority vote of the voters assembly is required for such action.
- 7.5 The President shall serve as the legal representative of the congregation.

8.0 VOTERS ASSEMBLY MEETINGS

Meetings of the voters assembly shall be held as determined in the bylaws.

- 8.1 Announcements of regular meetings shall be made in the services of the two previous Sundays or printed in the Sunday bulletin for the two previous Sundays.
- 8.2 Announcements of special meetings shall be made in the services of the two previous Sundays or in the services of the previous Sunday when accompanied by notification by mail unless deemed an emergency meeting. Such special meetings may be called at the request of the pastor, President, church council, or fifteen (15) voting members. The business at a special voters assembly shall be limited to the reason for which it was called.
- 8.3 All voting members present at a properly called meeting shall constitute a quorum.
- 8.4 It shall be the obligation of every voting member to attend all meetings of the voters assembly. By being absent a voter waives the right to vote in that meeting. Absentee ballots or voting by proxy shall not be allowed.
- 8.5 The attendance of each voter shall be recorded by the Secretary.

9.0 OFFICERS, BOARDS, AND COMMITTEES

This congregation shall have the following officers, boards, and committees in addition to any which the congregation shall establish from time to time.

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- 9.1 The officers of this congregation shall be:
 - 9.1.1 A President, who shall conduct the meetings of the voters assembly, church council, and congregation.
 - 9.1.2 A Vice-President, who shall serve in the President's absence or inability to act.
 - 9.1.3 A Secretary, who shall keep the minutes of the voters assembly and the church council.
 - 9.1.4 A Treasurer, who shall be responsible for the financial records of the congregation.
 - 9.1.5 A Financial Secretary, who shall be responsible for the receipt of all contributions and who shall deposit the same in an account established in the name of the congregation.
- 9.2 The Boards of this congregation shall be:
 - 9.2.1 A Board of Elders, consisting of between nine and twelve members, which shall assist the pastor in the spiritual life of the congregation.
 - 9.2.2 A Board of Trustees, consisting of six members, which shall be responsible for the physical properties of the congregation.
 - 9.2.3 A Board of Mission and Outreach, consisting of at least five (5) members, which shall lead the members of the congregation in outreach into the community.
- 9.3 The committees of this congregation shall be:
 - 9.3.1 A Christian Education committee, consisting of at least three members, which shall be responsible for the nurture and Christian growth of the members of the congregation.
- 9.4 Any officer, board member, or committee member who fails to carry out his or her duties of office or who fails to perform the responsibilities of confirmed membership may be removed from office by the voters assembly by a two-thirds majority ballot vote, in Christian and lawful order. Reasons for such removal shall normally include persistent adherence to false doctrine, scandalous life, willful neglect of the duties of the office, or inability to perform the duties of the office. Matthew 18 should be followed under such circumstances.
- 9.5 The called staff, by virtue of their office, shall be advisory non-voting ex-officio members of the council and all boards and committees.

10.0 LIMITATIONS ON HOLDING OFFICE

Women who hold voting membership may serve as officers and as members of boards and committees of this congregation which do not call upon them to carry out the specific functions of the pastoral office (preaching in or serving as the leader of the public worship service, the public administration of the sacraments, the public exercise of church discipline). Accordingly, a woman shall not serve as pastor of this congregation or as a member of the Board of Elders.

11.0 DIVISION

If at any time a division of the congregation should take place for any reason, the following principles will govern.

- 11.1 The President of the Minnesota North District shall be contacted for his counsel before any final decision is made regarding a division.
- 11.2 The property of the congregation and all benefits connected therewith shall remain with those communicant members who continue to adhere in confession and practice to the confessional standards set forth in this constitution.
- 11.3 In the event that the congregation dissolves, all property shall be disposed of by the final voters assembly for the payment of debts and all just claims against the congregation. Any

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and all surplus and all rights connected therewith shall be conveyed to and become the property of the Minnesota North District of The Lutheran Church - Missouri Synod.

12.0 AMENDMENTS

This constitution may be amended in a properly convened meeting of the voters assembly.

- 12.1 Amendments to articles other than article 3 may be adopted at a regular or special voters assembly meeting provided that:
 - 12.1.1 They do not conflict with the provisions of article 3 or with any other article that pertains to scriptural doctrine and practice.
 - 12.1.2 The proposed amendment has been submitted in writing, published, and available to the congregation at least one Sunday prior to the meeting at which the proposed amendment will be acted upon.
 - 12.1.3 A two-thirds affirmative vote of the voters present at a properly called meeting shall be required for adoption.
- 12.2 Amendments to article 3 shall follow the above procedures. Any changes to this article shall not destroy the essential meaning of the same.
- 12.3 The revised constitution shall, as a condition of continued membership in The Lutheran Church - Missouri Synod, be submitted to the President of the Minnesota North District for review by the district's constitution committee and favorable action by the district's board of directors before being implemented by the congregation.

BYLAWS

1.0 PROCEDURES FOR CALLING MINISTERS OF RELIGION

When this congregation calls a minister of religion, ordained or commissioned, the following procedure shall be followed:

- 1.1 When a pastor or commissioned minister is to be called, every member of the congregation shall be provided opportunity to suggest one or more names for consideration.
- 1.2 A call committee shall be appointed by the church council to serve as a screening committee and shall submit all suggested names to the District President for information and evaluation. The District President may add additional names as necessary. The committee shall then present to the congregation by public announcement its proposed list of candidates and their biographical sketches.
- 1.3 After the final list of candidates is received from the District President, the information shall be made available to the congregation for two Sundays prior to a voters assembly called for the purpose of calling a pastor or commissioned minister. All congregation members shall be allowed to attend this meeting regardless of whether they are a member of the voters assembly or not. However, only eligible voters may cast a vote.
- 1.4 Ballot voting shall continue until a three-fourths (3/4) majority vote determines the disposition of the call.
- 1.5 If at all possible, a unanimous voice vote by registered voters shall be the last vote for the candidate who was elected.

2.0 CHURCH COUNCIL

The church council shall provide direction to the congregation on behalf of the voters assembly.

- 2.1 The church council shall consist of the congregation's President, Vice-President, Secretary, Treasurer, Financial Secretary, the chairperson of each of its boards and a member at-large. The called staff shall be advisory non-voting ex-officio members of the church council. The President and Secretary of the congregation, as identified in section 9.0, shall also serve as the President and Secretary of the church council.
- 2.2 The church council shall meet monthly. Special meetings of the church council may be called by the President, the pastor, or any three (3) members of the church council by providing notice to all council members at least 24 hours prior to the meeting.
- 2.3 The quorum for a legal church council meeting shall be four (4) voting members.
- 2.4 The principal duty of the church council shall be to coordinate the program and activities of the various boards of the congregation. It shall also have the power to act on behalf of the congregation between meetings of the voters assembly within limitations established by the voters assembly and the constitution and bylaws. Actions of the church council shall be reported to the next meeting of the voters assembly.

3.0 NOMINATIONS, ELECTIONS, APPOINTMENTS, AND TERMS OF OFFICE

The procedure for the nomination and election of officers and board members, appointment of committees, and appointment to vacant offices shall be as follows.

- 3.1 A nominating committee appointed by the church council shall present a slate of candidates for each elected office. No person shall be nominated without his or her consent. The church council may delegate the task of appointing the nominating committee to the President.

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- 3.2 A majority of the votes cast during the posted hours of election shall be required for all elections.
- 3.3 President, Vice-President, Secretary, Treasurer, and Financial Secretary, shall be elected for a term of one (1) year by the voters assembly. Each officer may serve for six (6) consecutive terms in the office to which he or she is elected. Any further election to that office can be done only after an absence of one year from that office.
- 3.4 Members of each board shall be elected for a term of three (3) years by the voters assembly. Each board member may serve for two (2) consecutive terms in the office to which he or she is elected. Any further election to that office can be done only after an absence of one year from that office.
 - 3.4.1 The chairperson of the Board of Mission and Outreach is elected using the rules outlined in section 15.4. The remaining members are appointed by the chairperson.
- 3.5 A church council member-at-large shall be elected for a term of one (1) year by the voters assembly. The member-at-large may serve for six (6) consecutive terms in this office. Any further election to that office can be done only after an absence of one year from that office.
- 3.6 An individual may only hold one elected office at a time. Elected individuals may serve on appointed committees at the same time as serving in an elected office.
- 3.7 The church council of the congregation shall appoint all committee members. Appointed committee members shall serve for a term of one year. Appointed committee members may serve for an unlimited number of terms.
- 3.8 Officers, and board members, shall assume office on January 1st. They shall be inducted into office in a public service of the congregation.
- 3.9 In case of a vacancy in an elected office, the voters assembly shall elect a successor to fill the unexpired term from a list of candidates provided by the nominating committee. Service for more than one-half of a term shall constitute a full term.
- 3.10 The following restrictions shall prevail:
 - 3.10.1 All elected offices of the congregation shall be reserved to members of the voters assembly who have been voting members for at least one year and are at least eighteen (18) years of age.
 - 3.10.2 Members of the Board of Elders shall be reserved to male members of the congregation and are at least eighteen (18) years of age.
 - 3.10.3 Appointed offices may be filled by any communicant member of the congregation who is at least eighteen (18) years of age.

4.0 OFFICIAL DUTIES

Officers and members of boards and committees shall perform the duties as provided in the constitution.

- 4.1 Each board shall elect its chairperson, secretary, and church council representative annually.
- 4.2 The congregation shall have the right to detail and expand upon those responsibilities by job descriptions developed by the church council and approved by the voters assembly.

5.0 MEETINGS OF THE VOTERS ASSEMBLY

The voters assembly shall meet in January and October. The October voters assembly shall be designated as the voters meeting during which elections and approval of the budget shall take place. The January voters assembly shall be designated as the annual meeting for the review of the previous year's annual report. The voters assembly shall normally meet on the third Sunday of the

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month. However, the President shall have the authority to schedule the meetings for any day of the month.

6.0 RULES OF ORDER

In addition to principles laid down in Scripture and in the constitution and bylaws of this congregation, accepted parliamentary procedures such as *Robert's Rules of Order* shall be followed.

7.0 PRIORITY OF THE CONSTITUTION

Should there be a conflict between the constitution and the bylaws or the addendum or between the bylaws and the addendum, the following procedures shall prevail:

- 7.1 If there is a conflict between the constitution and the bylaws, the pertinent portion of the constitution will take precedence.
- 7.2 If there is a conflict between the constitution and the addendum to the constitution, the pertinent portion of the constitution will take precedence.
- 7.3 If there is a conflict between the bylaws and the addendum, the pertinent portion of the bylaws will take precedence.

8.0 AMENDMENTS

These bylaws may be amended in a properly convened meeting of the voters assembly.

- 7.1 Amendments shall be adopted by a majority of all votes cast, provided the proposed change has been submitted in writing to all voting members at least two weeks prior to the meeting.
- 7.2 The revised bylaws shall, as a condition of continued membership in The Lutheran Church - Missouri Synod, be submitted to the President of the Minnesota North District for review by the district's constitution committee and favorable action by the district's board of directors before being placed into practice by the congregation.

10-20-19	-	New constitution and bylaws approved by voters assembly
12-9-19	-	New constitution and bylaws approved by the MNN District
06-05-22	-	Constitution article 6.0 amended by the voters assembly
06-05-22	-	Constitution article 8.3 amended by the voters assembly
06-05-22	-	Bylaw article 7.0 added by the voters assembly
10-13-22	-	Revised constitution and bylaws approved by the MNN District

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**ADDENDUM TO THE CONSTITUTION AND BYLAWS
DUTIES OF OFFICERS, BOARD MEMBERS, AND COMMITTEE MEMBERS**

In accordance with article 16.2 of the bylaws this addendum details job descriptions for all officers, boards, and committees. These job descriptions may be changed by the voters assembly without submitting them to the President of the Minnesota North District for review and approval.

The President shall:

- 1) Chair all meetings of the congregation, the voters assembly, and the church council;
- 2) Call meetings of the congregation, the voters assembly, or the church council as regularly scheduled or whenever necessary;
- 3) Be responsible for the administration of the temporal affairs of the congregation;
- 4) Perform such other duties as assigned by the voters assembly.

The Vice-President shall:

- 1) Perform the duties of the President during his absence or inability to serve;
- 2) Perform such other duties as assigned by the voters assembly.

The Secretary shall:

- 1) Keep a written record of actions of the voters assembly and the church council in the form of minutes of these meetings;
- 2) Keep a written record of all standing resolutions;
- 3) Perform such other duties as assigned by the voters assembly.

The Financial Secretary shall:

- 1) Receive all contributions for the congregation, and see to their prompt deposit in a bank designated by the voters assembly;
- 2) Ask for assistance in completing these assigned tasks as necessary;
- 3) Perform such other duties as assigned by the voters assembly.

The Treasurer shall:

- 1) Receive the rightful and lawful bills to the congregation and make disbursement by check from congregational funds on authority of the congregation;
- 2) Make written monthly reports of disbursements to the church council and make written quarterly and annual reports to the voters assembly;
- 3) Submit the financial books of the congregation for audit after the close of the fiscal year;
- 4) Ask for assistance in completing these assigned tasks as necessary (e.g., bookkeeper);
- 5) Perform such other duties as assigned by the voters assembly.

The Board of Elders shall:

- 1) Assist the pastor in all spiritual matters of the congregation, in particular to cultivate peace, harmony and love among the members, to assist in the pastoral care of the sick, the needy, and such as are negligent in worship participation or the use of the Sacraments;
- 2) Ensure that the worship services are conducted decently and in order, that the Gospel is preached in its purity and in accord with sound Lutheran doctrine, and that all instruction, religious or secular, is in accord with the Word of God;
- 3) Assure that the offerings are gathered at the conclusion of the services and securely stored until counted by the Financial Secretary
- 4) Make provision for pastoral care and services in the absence, sickness, or disability of the pastor or in times of pastoral vacancy;

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- 5) Assist the pastor in the administration of the Sacraments in whatever ways are considered necessary and mutually agreeable;
- 6) Devise and foster ways by which guests and visitors are sincerely welcomed and made to feel at home in the congregation;
- 7) Direct and supervise the incorporation of new members and make every effort to bring them into the life and work of the congregation;
- 8) Approve all special services, entertainments, performances, or any other functions planned for presentation to the congregation or general public or to any society or organization;
- 9) Supervise the music staff;
- 10) Supervise the altar guild in the care, use, and maintenance of all items such as communion ware, chancel furnishings, banners, vestments, etc.;
- 11) Consider cases of church discipline and bring them to a satisfactory conclusion or bring them to the attention of the voters assembly in accordance with Matthew 18;
- 12) Exercise leadership in gathering call lists and calling a new pastor when a vacancy occurs;
- 13) Be concerned about the spiritual, emotional, and physical welfare of the pastor(s) and his family (adequate compensation, housing, free time, vacation, assistance in times of illness) and specifically review these items annually;
- 14) Assist the pastor(s) in processing changes of membership among congregation membership;
- 15) Pray for the pastor(s) and other spiritual leaders and encourage them in their work by word and action;
- 16) Review and recommend salary and benefits changes to the voters assembly.

The Board of Trustees shall:

- 1) Be concerned with and responsible for the maintenance and repair of real and personal property of the congregation;
- 2) Take such action as may be necessary in an emergency to protect the property and interest of the congregation;
- 3) Arrange proper insurance coverage for the congregational properties and make any necessary reports and recommendations to the voters assembly;
- 4) Make proper and adequate arrangements for the housing of the pastor and his family;
- 5) Perform such other duties as assigned by the voters assembly.

The Board of Mission and Outreach shall:

- 1) Promote the efforts of the congregation in sharing the Word of God with the members of this congregation, with the community, and with the world;
- 2) Promote personal witnessing among the members and organize outreach into the community of the congregation in cooperation with the Board of Elders;
- 3) Assimilate new members into the life and work of the congregation in cooperation with the Board of Elders;
- 4) Welcome visitors to church services and other activities;
- 5) Promote mission opportunities in the community, the district, the Synod, and the world;
- 6) Promote personal witnessing among the members and organize outreach into the community of the congregation.
- 7) Perform such other duties as assigned by the voters assembly.

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